

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1054 of 2015

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1. Laxman Bhagat Son of Late Satendra Bhagat,
2. Satish Kumar Son of Sri Ganesh Prasad null
3. Rameshwar Bhagat, Son of Late Chander Bhagat
4. Suresh Bhagat, Son of Sukhadeo Bhagat, All are Residents of Village –
Jehangirpur, P.O. and P.S. - Sonapur, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Land Reforms Department, Bihar, Patna.
3. The Director, Land Acquisition, Government of Bihar, Patna.
4. The Collector, Saran at Chhapra.
5. The District Land Acquisition Officer, Saran at Chhapra.
6. Union of India through the General Manager, E.C. Railway, Hajipur
Vaishali.
7. The Chief Engineer (Cons.), East Central Railway, Hajipur(Vaishali).
8. The Deputy Chief Engineer (Cons.), Ganga Rail Cum Road Bridge,
Digha Ghat Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal
For the Respondent No.1 to 5 : Mr. Divya Verma, AC to AAG-3
For the Respondent No. 6 to 8: Mr. Ashok Kumar Keshari

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 05-08-2015 Heard the parties.

The petitioners, 4 in number, have filed the present writ petition seeking a direction to the respondents concerned for payment of adequate compensation to them for the lands appertaining to Khata No. 119, Khesra No. 186 area 2 decimals situate at Mauza Jehangirpur, P.S. Sonapur, District Saran, as according to them, construction of Ganga Rail cum Road Bridge

(Digha Sonapur Rail line) over the aforesaid area of land has been completed, but without making payment of compensation to the petitioners.

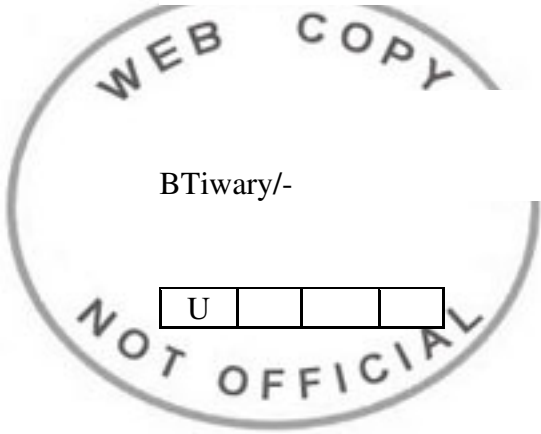
This matter was heard earlier on different dates by a Bench of this Court. In the light of the orders/ directions issued by this Court, separate counter-affidavits on behalf of the respondent no. 4 and 5 as also respondent no.8 were filed earlier. Today when the matter has been taken up for consideration on merit, a supplementary counter-affidavit on behalf of the respondent no. 4 and 5 is being filed, after service of its copy upon the learned counsel appearing on behalf of the petitioners as also learned counsel appearing on behalf of the other respondents, which is taken on the record.

In the aforesaid supplementary counter-affidavit in paragraph 9 and 10 it has been asserted that all the grievances raised on behalf of the petitioners have been redressed and the compensation amount has been paid to them to the extent of their share with respect to the aforesaid 2 decimals of land. Therefore, according to the learned State counsel, the matter has become infructuous.

At this stage, learned counsel appearing on behalf of the petitioners submits that in view of the acquisition of the land of the petitioners, they are entitled for some sort of job as per policy decision of the Railways. However, this Court finds that the writ petition has not been filed for that relief, therefore, that issue cannot be gone into in the present proceeding.

In view of the averments made in the supplementary counter-affidavit filed on behalf of the respondent no. 4 and 5 and in view of the payment of adequate compensation to the

petitioners, the present writ petition stands disposed of as infructuous.



(Birendra Prasad Verma, J)